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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/435,642	11/09/1999	NOBUHITO FUKUI	1614.1006	5484

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EXAMINER

JOSEPH, THOMAS J

ART UNIT PAPER NUMBER

2174

DATE MAILED: 04/01/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

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# Office Action Summary

Application No.

09/435,642

Applicant(s)

FUKUI ET AL.

Examiner

Thomas J Joseph

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE \_\_\_\_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 November 1999 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2. 6) ☐ Other: \_\_\_\_\_

**DETAILED ACTION*****Drawings***

1. The drawings are objected to because they fail to show necessary textual labels of features or symbols in Figs. 1, 4 – 7 9 – 12 as described in the specification. For example, placing a label, "display screen", with element 102a of Fig. 1 and "tool button", with element 12 of Fig. 4 would give the viewer necessary detail to fully understand this element at a glance. A *descriptive* textual label for *each numbered element* in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized conventional meaning and are generally accepted in the art. Other symbols which are not universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable.

(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) do not apply to the examination of this application as the application being examined was not (1) filed on or after November 29, 2000, or (2) voluntarily published under 35 U.S.C. 122(b). Therefore, this application is examined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3. Claims 1, 2, 8, 9, 15, and 16 are rejected under 35 U.S.C. 102(e) as being anticipated by Kaply (pat. # 6,215,490).

Claims 1, 8, and 15 are rejected. Kaply teaches window driven software (fig. 5a). Such a software programs requires an information processing apparatus for controlling information on a display screen to operate. The software taught by Kaply requires the presence of a computer readable medium. Kaply teaches the output of windows equipped with scroll bars wherein the user views icons that are otherwise not displayed unless the user operates the said scroll bar (fig. 5a). Whenever these scroll bars are activated and dragged, the "a display on a display screen" changes "from a first display region to a second display region by a scrolling process" as taught by the Applicant. Kaply teaches an upward arrow located over the scroll bar (fig. 5a). This upward arrow is typically used as "a return section which returns the display to the said first display region in response to a cancellation of the scrolling process by said scrolling section" as recited by the applicant.

Claim 2, 9, and 16 are rejected. Kaply teaches an example of a single window with a scroll bar (fig. 5a). This teaching translates a window "wherein both said first

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display region and said second display region are displayed within a single window which is displayed on the display screen" as recited by the Applicant.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3 – 7, 10 – 14, and 17 – 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kaply (pat. # 6,215,490) as applied to claims 1, 8, and 15 above, and further in view of Ludolph (pat. # 5,874,958).

Claim 3, 10, and 17 are rejected. Kaply fails to teach a "first display region is formed by one window within a multi-window which includes a plurality of windows, and said second display region is formed by another window within said multi-window" recited by the Applicant. Ludolph (pat. # 5,874,958) teaches a "first display region is formed by one window within a multi-window which includes a plurality of windows, and said second display region is formed by another window within said multi-window" (fig. 4) as recited by the applicant. The program manager window taught by Ludolph is the multi-window while the word processing and spreadsheet windows taught herein are the first and second region windows (fig. 4). Further the larger window (fig. 12, 3, #212) can also be interpreted as the multi-window. It would have been obvious to one with ordinary skill in the art at the time of the invention to combine the a "first display region is formed by one window within a multi-window which includes a plurality of windows,

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and said second display region is formed by another window within said multi-window” and taught by Ludolph with the multi-window display and scrolling taught by Kaply because doing so allows the user to utilize the desktop within the confines of a large window while preserving remaining screen space for non desktop functions.

Claim 4, 11, and 18 are rejected. Ludolph teaches the placement of borders around the word processing and spreadsheet windows (fig. 4). These borders can be used as the “setting section which sets a mark indicating said first display region” recited by the Applicant.

Claim 5, 12, and 19 are rejected. The upward arrow suggested or taught by Kaply for returning to the first display region taught in claims 1, 8, and 15 is a method wherein “said return section displays said first display region at a position where said mark is displayed on the display screen” taught by the Applicant.

Claim 6, 13, and 20 are rejected. Kapley teaches placement of one regional window within the multi-window at a frontmost position (fig. 5a). This frontmost window contains the upward arrow that is interpreted as the “mark.” This is interpreted as Kaply teaching “said first display region is formed by a window within a multi-window which includes a plurality of windows, said second display region is formed by another window within said multi-window, and said return section displays said first display region at a position where said one window including the mark is displayed at a frontmost position on the display screen” as recited by the Applicant.

Claim 7, 14, and 21 are rejected. Kaply displays the upward arrow mark at a position next to the scroll bar (fig. 5a). The scroll bar is a type of cursor used for

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positioning the displayable region of the window. In doing so, Kaply teaches "setting section sets the mark at a position of a cursor in said first display region" recited by the applicant.

***Conclusion***

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas J Joseph whose telephone number is 703-305-3917. The examiner can normally be reached on 7:30 am - 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid can be reached on 703-308-0640. The fax phone numbers for the organization where this application or proceeding is assigned are 703-746-7239 for regular communications and 703-746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

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March 25, 2002

*Kristine Kincaid*  
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